

Remarks

Status of the Claims

Claims 1-41 were pending in the application. Claims 21-29 and 40-41 are withdrawn from consideration as being drawn to non-elected subject matter. Claims 1-20 and 30-39 stand rejected. By this paper, claims 1-2, 10-15, 19-20, 30-31 and 35 have been amended, and claims 7 and 17 have been canceled without prejudice or disclaimer. For the reasons set forth below, Applicant submits that each of the pending claims is patentably distinct from the cited prior art and in condition for allowance. Reconsideration of the claims is therefore respectfully requested.

Claim Rejections - 35 U.S.C. § 102

Claims 1-5, 8-16, 18-20 and 30-39 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 6,434,171 issued to Ishida ("Ishida"). Applicant respectfully traverses this rejection because Ishida fails to identically teach every element of the claims. See M.P.E.P. § 2131 (stating that in order to anticipate a claim, a prior art reference must identically teach every element of the claim).

1. Ishida does not teach or suggest two **audio/video streams** from different sources processed through different paths.

An aspect of the independent claims of the present application relates to processing two audio/video streams from different sources through different paths (e.g., a first stream receiver and a second stream receiver). According to page 4 of the Office Action, Ishida teaches a first tuner 42 for receiving a first media stream from a first source and a second tuner 61 for receiving a second media stream from a second source. However, Applicant respectfully submits that Ishida does not anticipate the

claims as amended herein because the second tuner 61 is not configured to receive a **second audio/video stream**.

Rather, Ishida teaches that the second tuner 61 is configured to receive various commands and partial service information SI". Ishida, col. 8, lines 20-23. The commands and service information SI" are not an audio/video stream. Rather, the commands and service information SI" received through the second tuner 61 are control information necessary for **selecting** a desired program from a plurality of programs multiplexed in the audio/video program information (received through the first tuner 42 in FIG. 5), **decoding** the program, and **reproducing** the program. See, Ishida, col. 1, lines 25-28. However, Ishida is silent as to the commands and service information SI" having any of its own audio/video data.

Thus, Applicant respectfully submits that Ishida does not teach or suggest "**a second audio/video stream**," as recited among other things, in amended claims 1, 11 and 30 (emphasis added). Further, Ishida does not teach or suggest "the second audio/video stream comprising Internet Protocol (**IP**) **encapsulated audio/video data**, and the second source comprising an **IP source**," as recited, among other things in amended claim 1 (emphasis added). Further, Ishida does not teach or suggest "a first processing path coupled to the receiving device for tuning to, demodulating, and demultiplexing the multiplexed video signal; a **second processing path** coupled to the receiving device for demodulating the **streaming video signal**," as recited, among other things, in amended claim 31 (emphasis added). For at least these reasons, the rejection of claims 1, 11, 30 and 31 should be withdrawn.

2. Ishida does not teach or suggest **selecting** an audio/video stream **from among two different processing paths** for decoding by a common decoder.

Applicant respectfully submits that the demultiplexer 45 shown in FIG. 5 of Ishida serves a similar purpose to the demultiplexer 108 shown in FIG. 3 of the present application. That is to say, the demultiplexer 45 shown in FIG. 5 of Ishida is configured to **select one program** from among a plurality of multiplexed programs **received through a first path**. Page 3 of the Office Action defines the first path as the first tuner 42, the demodulator 43 and the forward error correction (FEC) 44. The Office Action also defines a second path as the second tuner 61, the demodulator 62 and the CPU 67.

As discussed above, the commands and partial service information SI" received through the second path are not an audio/video stream and, therefore, cannot be one of the audio/video streams selected according to the claims of the present application. Further, as discussed in detail below, the commands and partial service information SI" received through the second path are provided from the CPU 67 to the demultiplexer 45 (see the double arrow in FIG. 5 of Ishida) to allow the demultiplexer 45 to identify the selected program *received through the first path* to the decoder 47. See Ishida, col. 11, lines 9-15 ("the SI processor 67a generates audio/video **selection information** (the PID of the audio/video MPEG-2 TS of the selected program) and sends the PID to the audio/video/SI demultiplexer 45") (emphasis added).

Applicant notes that Ishida sometimes refers to the demultiplexer 45 as the audio/video/SI demultiplexer 45. However, the inclusion of SI in the name of the demultiplexer 45 does not indicate that the demultiplexer 45 selects between the audio/video data provided through the first path and the partial service information SI"

received through the second path. Rather, the demultiplexer 45 separates (demultiplexes) an audio signal, a video signal, and any portion (SI') or all (SI) of the service information that is **received through the first path**. This is illustrated in FIG. 6, which shows the demultiplexer 45 receiving the MPEG-2 TS signal, outputting an Audio MPEG-2 TS signal to an "audio decoder 47a" (col. 8, line 52), and outputting a Video MPEG-2 TS signal to a "video decoder 47b" (col. 8, line 54).

As shown in FIG. 6, the demultiplexer 45 also separates out the portion of the service information SI' **received through the first path** and sends it to the SI processor 67a (not the decoder 47) where it is combined with the service information SI" received through the second path to create the original service information SI. Col. 8, lines 59-64. Thus, while the demultiplexer 45 separates the partial service information SI' **received through the first path** from the audio/video information **received through the first path**, the demultiplexer does **not** select between the audio/video information received through the first path and the partial service information SI" received through the second path. Rather, as shown in FIG. 6, the demultiplexer 45 **always** sends the selected Audio MPEG-2 TS signal and Video MPEG-2 TS signal (both **received through the first path**) to the decoder 47.

Thus, Applicant respectfully submits that Ishida does not teach or suggest a stream selector or stream selection means "**to selectively direct one of the first audio/video stream and the second audio/video stream**" to a hardware decoder or decoder means, as recited, among other things, in amended claims 1 and 11 (emphasis added). In addition, Ishida does not teach or suggest "a first processing path coupled to the receiving device for tuning to, demodulating, and demultiplexing the **multiplexed**

video signal; a second processing path coupled to the receiving device for demodulating the **streaming video signal**; a **selector for selecting between an output of the first processing path and an output of the second processing path**," as recited, among other things, in amended claim 31 (emphasis added). For at least these reasons, the rejection of claims 1, 11, 30 and 31 should be withdrawn.

3. Ishida does not teach or suggest a **hardware decoder** for decoding media streams from **both processing paths**.

As discussed above in relation to FIGS. 5 and 6 of Ishida, the demultiplexer 45 provides the selected Audio MPEG-2 TS signal and Video MPEG-2 TS signal (both received through the first path) to the decoder 47, where they are decoded (e.g., "the decoder restores an audio/video signal, which has been compressed in accordance with the MPEG-2 scheme.") Col. 8, lines 5-11 (emphasis added).

However, the portion of the service information SI" **received through the second path** is not decoded by the decoder 47. Rather, the service information SI" received through the second path is decoded by the CPU 67. See, col. 8, lines 44-45 (stating that the CPU executes descrambling processing, and processing for restoring the service information SI") (emphasis added). Thus, while FIG. 5 of Ishida shows receiving information through two paths (e.g., through the first tuner 42 and the second tuner 61), Ishida teaches that the information is decoded using separate decoders (e.g., the decoder 47 and the CPU 67).

Further, the Office Action does not indicate where Ishida teaches using the decoder 47 for decoding the service information SI" received through the second path, or even that the service information SI" received through the second path is sent to the

decoder 47. Page 4 of the Office Action cites Ishida, col. 11, lines 9-28. However, Applicant submits that this portion of Ishida merely discusses decoding audio/video signals (received through the first path) using the audio decoder 47a and the video decoder 47b, and is silent as to decoding any information received through the second path.

Thus, Ishida fails to teach or suggest a decoder or decoding means "configured to **decode the selected output**" from the selector or stream selection means, as recited, among other things, in amended claims 1, 30 and 31 (emphasis added). Ishida also fails to teach or suggest "the hardware decoder capable of **decoding the first audio/video stream and the second audio/video stream**," as recited, among other things, in amended claim 11 (emphasis added). For at least these reasons, the rejection of claims 1, 11, 30 and 31 should be withdrawn.

4. Conclusion

Based at least on the foregoing, claims 1, 11, 30 and 31 are allowable over the art that has been cited and applied by the Examiner. Further, claims 2-6, 8-16, 18-20 and 32-39 are also allowable as depending from claims 1, 11 and 31, respectively. Applicants therefore request withdrawal of the rejections and allowance of the application at an early date.

Respectfully submitted,

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By

A handwritten signature in black ink, appearing to read 'Kory D. Christensen', written over a horizontal line.

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